

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DERREL KEDDO, :
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Plaintiff, :
: 21-cv-1875 (LJL)
-v- :
:
G.O. & B. LLC d/b/a INTERNATIONAL HOUSE OF :
PANCAKES and COREY LAWRENCE, :
:
Defendants. :
:
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LEWIS J. LIMAN, United States District Judge:

Plaintiff initiated this action by complaint on March 3, 2021 and the Court scheduled an initial pretrial conference for May 13, 2021. After the corporate and individual Defendants failed to respond to the complaint by April 6, 2021 and April 7, 2021, respectively, Plaintiff obtained a Certificate of Default, Dkt. Nos. 17, 18, and moved to adjourn the conference sine die. On May 5, 2021, the Court granted that adjournment and directed Plaintiff to file his motion for a default judgment by May 28, 2021. Dkt. No. 20.

The Defendants appeared on May 10, 2021. They move to vacate the default, compel arbitration based on an employment agreement signed by Plaintiff, and to stay the proceeding. Dkt. No. 22. The Court has not entered a default judgment against Defendants and as such, there is no default judgment to yet vacate. That request is therefore denied as moot.

It is hereby ORDERED that Plaintiff shall submit his opposition to Defendants' motion to compel arbitration by May 26, 2021, and Defendants shall submit their reply by June 2, 2021. If the motion to compel arbitration is denied, Defendants shall have twenty-one (21) days from the date of that order in which to answer or otherwise respond to the Complaint. Plaintiff's

deadline to file motion for default judgment is vacated.

SO ORDERED.

Dated: May 14, 2021
New York, New York



LEWIS J. LIMAN
United States District Judge